IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 421 of 2004

KUNDAN LAL
V/S
OM PRAKASH

Mr. PRADEEP SHAH, for the appellant / petitioner

Mr. TRIBHUVAN GUPTA (CAVEATOR, for the respondent

Date of Order : 22.2.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

Having perused the impugned judgments and decrees, in my view the questions decided by the learned Courts below about the defendant being mortgagee by way of usufructory mortgage dated 4.2.91, and negativing the stand of the defendant about being tenant in the property since earlier, are rather pure findings of fact, and are not shown to be vitiated on any of the grounds available u/s 100 CPC.

The appeal thus, does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

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